

APPLICATION FOR BENEFICIAL WATER USE PERMIT

BASIN CLOSURE AREA ADDENDUM

§§ 85-2-360, 85-2-361, 85-2-362, 85-2-363, & 85-20-101 through 85-20-1601, MCA
ARM 36.12.120

The Department will inform you at the pre-application meeting if your application is located in a basin closure or compact closure area. In most closure areas, the Department can accept some surface water and groundwater applications; however this addendum must be used. For groundwater applications filed pursuant to § 85-2-360, MCA, the application must also have a *Hydrogeologic Assessment Report* addendum attached. You will be required to mitigate the net depletion of water that may create an adverse affect to groundwater and hydraulically connected surface water rights.

If needed, a mitigation plan must ensure that existing senior water users will not be adversely affected by the new appropriation of water. Therefore, the plan must explain how the rate, timing, and location of the mitigation water will maintain the current water balance.

**ALL SURFACE WATER APPLICATIONS AND GROUNDWATER APPLICATIONS
WITHIN COMPACT CLOSURE AREAS**

1. How does your application meet a closure exception? Attach additional sheets if necessary.

IF A CHANGE APPLICATION IS REQUIRED TO MITIGATE ADVERSE EFFECT, THE DEPARTMENT WILL EVALUATE THE CHANGE APPLICATION AND DETERMINE IF THE PROPOSED CHANGE WILL ADEQUATELY MITIGATE THE EFFECTS OF THE PROPOSED WATER USE. THE EVALUATION WILL INCLUDE A DETERMINATION OF THE VALUE OF THE WATER RIGHT TO BE CHANGED; THE AMOUNT OF WATER THAT WILL BE AVAILABLE FOR MITIGATION; AND WHETHER THE RATE, TIMING, AND LOCATION OF THE MITIGATION WATER WILL PROTECT EXISTING WATER RIGHTS.

GROUNDWATER APPLICATIONS FILED PURSUANT TO § 85-2-360

2. Yes ☐ No ☐ For groundwater applications filed pursuant to § 85-2-360, MCA, did you submit a *Hydrogeologic Assessment Report* with the Application for Beneficial Water Use Permit? If not, you need to complete that report.
3. Yes ☐ No ☐ For groundwater applications filed pursuant to § 85-2-360, MCA, did the *Hydrogeologic Assessment Report* indicate that the proposed groundwater use will impact a surface water source? If yes, continue through the addendum; if no, STOP—no further information is required on this addendum.
4. What surface water source will be affected by your groundwater use?
☐ Unnamed Tributary _____
5. Provide a map showing the location of the effect on surface water.
6. What amount of effect will occur to surface water? _____ ☐ GPM -or- ☐ CFS
_____ ☐ Acre-feet
7. What is your plan to mitigate the amount of water identified above?
☐ I am submitting an Application to Change a Water Right application to mitigate the adverse effect created. The change application must be submitted with the permit application or within a further time as allowed by the Department.

THE DEPARTMENT WILL EVALUATE THE CHANGE APPLICATION AND DETERMINE IF THE PROPOSED CHANGE WILL ADEQUATELY MITIGATE THE EFFECTS OF THE PROPOSED WATER USE. THE EVALUATION WILL INCLUDE A DETERMINATION OF THE VALUE OF THE WATER RIGHT TO BE CHANGED; THE AMOUNT OF WATER THAT WILL BE AVAILABLE FOR MITIGATION; AND WHETHER THE RATE, TIMING, AND LOCATION OF THE MITIGATION WATER WILL PROTECT EXISTING WATER RIGHTS.

- ☐ I am not submitting a change application; however I am submitting an alternative mitigation plan. See attached plan.

THE DEPARTMENT WILL EVALUATE THE MITIGATION PLAN AND DETERMINE IF THE PLAN WILL PROTECT EXISTING WATER RIGHTS.

- ☐ A mitigation plan is not required. Attach documentation.